

INFORMATION REPORT

CD NO. 25X1A

COUNTRY Germany (Russian Zone)

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DATE DISTR. 3 MAR 51

SUBJECT Patent Registration

NO. OF PAGES 2

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SUPPLEMENT TO
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1. With the dissolution of the German government in 1945, the patent protection laws then in force were, for all practical purposes, annulled, and Germans no longer enjoyed the protection of patent laws. In 1948, while the Allied Control Council was still in operation, a new patent registration procedure was inaugurated in all four zones. It granted temporary protection until a final solution could be arranged. After the Control Council ceased functioning, a new patent law was quickly proclaimed in the Western Zones, but Soviet Zone citizens had to wait until [REDACTED] for new patent legislation.

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2. In order to enforce the new Soviet Zone patent law, the Office for Inventions and Patents (Amt für Erfindungs- und Patentwesen-AEP), was established in Berlin, Hessische Strasse 11-12. In keeping with the tenets of the Soviet Zone Government, the main task of the new office was not the protection of patents and inventions, but the "encouragement of creative thinking for the benefit of the socialized industries". The office has been ordered to complete its preparatory work [REDACTED] and to commence granting patents as of that date. Operational and administrative difficulties encountered make it appear very doubtful that the office will be able to meet that deadline. Operationally, the office found that it lacks sufficient patent catalogues and other background material to judge the originality of submissions and administratively it found that it lacks qualified personnel to judge their validity. In the entire East Zone only three apparently comprehensive patent catalogues could be found, one at the school of engineering in Koethen, one at the chamber of commerce in Halle, and one at the city library in Chemnitz, but even after those were shipped to Berlin it was found that they were woefully incomplete. Attempts are now underway to supplement them through photostats of the files from the patent office in Munich (US Zone) and by purchase of all catalogues published in the West Zones. Administratively the office was never able to fill more than 138 of the 292 positions its roster calls for, and even of those appointed some had to be discharged for lack of "political reliability."

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3. In order to overcome the personnel shortage, the Central Committee of the SED has proposed that the plants of the socialized industries be charged with the responsibility of checking the originality and validity of submissions and that the AEP be relegated to registering and acknowledging new patents.

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25X1A [REDACTED] only three branches of the VVB's, the VVB Chemie, Chemnitz, the VVB Mechanik, Dresden, and the VVB Optik, Jena, have enough qualified personnel to accomplish the task. The remaining branches will have to wait until the AEA is ready to function.

4. Since the Soviet Zone government declined to sign the covenant of the International Patent Office in Geneva, or the Madrid and Paris patent and registry treaties, any patents granted by the AEP will be valid only in the USSR and its satellite states. Since 1948, about 2000 new ideas have been registered, most of them [REDACTED] of negligible value, but all of them have been sorted and those found worthy of consideration were submitted to the Soviet Trade Mission in Berlin. 25X1A
5. One of the principal difficulties regarding patents, experienced by the East Zone government, is to strike a balance between personal compensation and public ownership. While it is its desire to favor the socialized industries and the satellite states, it finds that a policy of exclusive exploitation by the aforementioned discourages registration. 25X1A
[REDACTED] the AEP addressed a new plan to the Ministry of State Planning which would give all producers access to new inventions against a reasonable royalty. Exchange of patents with satellite states has also provided some difficulties. Up to the present, the inventor receives a royalty of 5% of the profit made by the plant exporting the patent. He receives no royalties at all from subsequent users in the other country. A new plan calls for a royalty of 20% on profits made by all users.

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